MINISTRY OF ATTORNEY GENERAL

ANNUAL REPORT 1999/2000

Addressing Provincial Court Delay and Backlog

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Province of British Columbia

May It Please Your Honour:

It is my pleasure to submit to you the 1999/2000 Annual Report of the Ministry of Attorney General, fulfilling my obligation as the current Minister responsible.

The Honourable Geoff Plant
Attorney General

102-00165/

The Honourable Geoff Plant
Attorney General
Province of British Columbia

Sir:

We have the honour to submit the annual report of the Ministry of Attorney General for the fiscal year beginning April 1, 1999 and ending March 31, 2000.

This report is an important public record outlining the work of each branch of the ministry and highlighting the ministry's significant achievements over the past year.

The agencies, boards and commissions reported on here are required by statute to report annually, through you, to the legislature. This is not a substitute for those reports. The agencies, boards and commissions will, in the ordinary way, as required, file their own annual reports.

Gillian Wallace, Q.C.
Deputy Attorney General

Cynthia Morton
Deputy Minister

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Part One: Addressing Provincial Court Delay and Backlog

Addressing Provincial Court Delay and Backlog

Access to justice is a value cherished by British Columbians, and a goal that has been shared by the government, the legal profession, the judiciary and the public at large. British Columbia's justice system has been successful in meeting this goal in many ways, through such advances as increased participation by victims in criminal proceedings, interpreters for non-English speakers, new procedures that give children better protection in court, and a higher limit for small claims cases.

However, these advances, together with B.C.'s growing population, have placed increasing demands on the provincial court. As more people participate in the justice system, the court has more cases to handle. And as the court addresses more complex social issues, more time may be taken in each case.

In April 1998, in his report on delay and backlog in the provincial court, Chief Judge Robert Metzger stated that almost 250,000 new cases arrive in the provincial court every year, and that the court simply could not keep pace with this influx. People coming to court for solutions to family and commercial disputes were facing significant delay, and many criminal cases were at risk of being dismissed because of the court's inability to meet the accused person's right to a trial within a reasonable time. The overall effect of these delays was to reduce public confidence in the justice system.

Chief Judge Metzger made a number of recommendations for reducing court backlog and delay and for reforming the court system. This report will highlight three key areas covered in his recommendations:

- criminal caseflow management rules for improving efficiency of court case processing
- expansion of alternative measures programs for low-risk offenders
- expansion of dispute resolution options for civil and family cases.

The B.C. Provincial Court

Most people in B.C. who come into contact with a court system will make that contact with the provincial court. Cases in the provincial court range from traffic tickets to murder charges, parental access visits to protection of children at risk of abuse, and civil claims of $100 to $10,000.

The provincial court has four divisions:

- adult criminal court—hears criminal charges against adults
- youth court—deals with charges against young people aged 12 to 17 under the Young Offenders Act
- family court—handles a wide variety of family matters, including maintenance and custody and access orders for separating couples, and planning for children who are apprehended by social workers
- small claims court—settles disputes involving up to $10,000 in debts or damages.

Every judge of the provincial court may sit in any division, to hear any kind of case. In some larger urban centres, however, some judges sit primarily on criminal, family or civil cases.

Criminal Caseflow Management rules

Although the impact of increased demands on the justice system and the resulting backlog are felt throughout the system, the effects have been most visible in criminal court.

Until recently, for example, a person accused of a crime could book time for a trial months in advance and then, on the day of the trial, enter a short guilty plea. The courtroom time and the various people required to appear at the trial would then not be needed. To accommodate these uncertainties, courts were forced to overbook their time, with the result that cases would be "bumped" on the trial day and rescheduled for another day, possibly months later.

The Supreme Court of Canada has ruled that an accused person has the right to a timely trial, and that charges must be dismissed if there is undue delay. With the courts overbooked, and the likelihood of a trial being "bumped" and adjourned to another day, accused persons can begin to use as a strategy an application for dismissal on account of delay.

The new Criminal Caseflow Management rules (CCFM) represent

a justice system reform that has been led by the provincial court judiciary, with support from the Court Services and Criminal Justice branches of the Ministry of Attorney General and extensive consultation with justice system partners. The rules are an innovative solution to a complex challenge.

The purpose of the rules, which apply to criminal cases in both adult and youth court, is to improve court case processing through:

- reduced number of court appearances per case
- speedier disposition of cases, and
- improved trial scheduling.

The new rules strengthen the focus on the earlier stages of the criminal process, in order to create more certainty about events later in the process. Previously, an accused person usually made several appearances in court before the actual trial to deal with administrative details, such as determining whether the person has the required information and a lawyer, and submitting documents. Under the new rules, there are four distinct phases in the court process:

- initial appearances before a Justice of the Peace—to ensure that the accused receives information about the charges and the Crown's position, and knows about and has the opportunity to obtain legal advice, and to schedule the next event at a time that allows for meaningful contributions to the progress of the case
- an arraignment hearing before a provincial court judge—to determine if there are any prospects for early resolution, or, if there must be a trial, to discuss issues including witnesses required and accuracy of estimated trial time
- a trial confirmation hearing before a provincial court judge—held 30 days before the date set for trial or preliminary hearing, to ensure that the case is progressing towards the trial, and make any required adjustments to the court time estimate
- the trial or preliminary hearing before a provincial court judge.

The process increases opportunities for all accused persons to receive information and make informed dispositions. It recognizes that a trial is not necessary or appropriate in all cases. Trial time is allocated only after determining the need for a trial.

The provincial court judges approved the new rules in February 1999. The Criminal Justice Branch developed best practices and training materials for Crown counsel offices, to streamline procedures and assist with implementation. A phased implementation began in October 1999 in the Okanagan Judicial District, and was scheduled for completion in November 2000, with implementation in the Vancouver/Richmond and South Fraser judicial districts.

With implementation of the rules only partially completed by March 31, 2000, it is too early to evaluate the

success of the rules in addressing court backlog and delay. However, in the judicial districts where the rules have been implemented, there is evidence that they are succeeding in reducing trial delay and increasing trial certainty. The new process will be carefully monitored and evaluated on an ongoing basis.

Alternative measures

Alternative measures—traditionally known as "diversion"—have been used since the late 1970s. However, with changes to the Criminal Code of Canada in 1996 that allowed the Crown to prosecute an offender who fails to comply with the terms of his or her diversion, B.C. expanded its use of adult alternative measures in 1998.

The Alternative Measures Program provides an alternative to formal court proceedings for some adults and youth charged with offences under the Criminal Code or the Young Offenders Act. Low-risk offenders who acknowledge responsibility for an offence may be diverted from court proceedings and referred to the program. The program is most commonly considered for less serious offences, such as minor thefts or possession of stolen property, mischief and causing a disturbance. In certain circumstances, the program may be appropriate for more serious cases, such as theft over $5,000, break and enter and impaired driving.

Crown counsel are responsible for deciding who is suitable for alternative measures, based on factors listed in the Criminal Code, the Young Offenders Act and Crown counsel policy. Crown counsel may divert an offender who is considered low risk and has no previous criminal record, or who has a criminal record that is minimal, old or unrelated to the current offence. Crown counsel also consider:

- the need to protect society, the interests of society and the victim
- the nature and seriousness of the current offence
- any prior diversions or referrals to alternative measures
- the circumstances of the offender.

Victims are consulted and their views are considered.

Crown counsel refers appropriate cases to contractors for an in-person screening interview, during which the contractor determines whether the alleged offender is willing to accept responsibility for the offence, meets the screening criteria, and is willing to participate in the Alternative Measures Program.

The most common terms for an alternative measures contract are community work service, restitution to the victim and counselling programs. The terms should be a logical consequence to the alleged offence, achievable within three months, and not involve consequences that would be any greater than would result through the court.

If an offender does not comply with the terms of the alternative measures contract, Crown counsel may begin

formal prosecution proceedings against him or her for the original charge.

Alternative measures provide the community with opportunities to address conflict meaningfully outside of the court process. Alternative measures also have excellent potential to reduce demand on the court system.

Dispute resolution options for family and civil cases

The traditional adversarial approach of the courtroom is not appropriate for all disputes. In civil and family law, collaborative dispute resolution processes have been implemented to provide a more flexible series of non-adversarial options that involve parties in resolving their own disputes. Providing alternatives to the court process helps to reduce the demands on the court system while meeting the needs of the parties, leaving the courts free to deal with cases where alternative dispute resolution options are not appropriate.

Provincial Court (Family) Rules

In December 1998, new Provincial Court (Family) Rules came into force, with the goal of making the process faster, more efficient and more responsive to the needs of the parties. A major component of these new rules is the provision of a variety of options for collaborative settlement outside the courtroom.

For example, under the new rules, family justice registries were established in five pilot sites (Vancouver, Surrey, Rossland, Nelson and Castlegar). In family justice registries, parties must meet separately with a family justice counsellor before a court date is set. The purpose of the meeting is to provide each party with information about the various settlement options that are open to them through the court or in the community, including mediation, Parenting After Separation programs (see below), and assistance from child support guidelines clerks. The parties may then seek referral to these programs or they may decide to go before a judge.

Also under the new rules, a judge may refer a matter to a family case conference, at which the judge may mediate any of the issues in dispute, decide any issues that do not require evidence, give a non-binding opinion on the probable outcome of a hearing, or refer to a hearing or a trial preparation conference.

Mandatory Parenting After Separation programs

Parenting After Separation (PAS) information sessions, sponsored by the Ministry of Attorney General, help separating parents agree on better ways to meet the needs of their children during and after separation. The three-hour sessions provide parents with information about separation, its impact on children, the current child support guidelines, and family dispute resolution options,

including such alternatives to court as mediation and counselling. There is no cost for participants.

Parenting After Separation programs are offered throughout the province and, in most locations, participation is voluntary and can be accessed through family justice centres. However, attendance is required before appearing in court in Burnaby-New Westminster, Vancouver, Surrey, Kelowna, Prince George, Victoria and Abbotsford. In these areas, provincial court registry staff provide all applicants to the court with PAS brochures and exemption forms when an application is filed.

Child Protection Mediation Program

Under the Child, Family and Community Service Act, mediation services are offered in disputes between the Ministry for Children and Families and parents about the care of their children. Mediation services are provided by specially trained child protection mediators in private practice. An objective of the program is to resolve issues between the Ministry for Children and Families and parents as collaboratively as possible, and, in appropriate cases, to avoid the polarizing effects of court proceedings, which can disrupt the necessary working relationship between the ministry and families.

B.C. Mediator Roster

The B.C. Mediator Roster is a central register of trained and experienced mediators who subscribe to a code of mediation conduct. As of March 31, 2000, 100 mediators are listed on the roster, which is administered by the B.C. Mediator Roster Society. The purpose of the roster is to meet the need for members of the public, litigants and lawyers to be able to retain a mediator and be confident that the mediator has met minimum standards of training and subscribes to acceptable standards of conduct.

Small Claims Court Mediation Practicum Program

The Small Claims Court Mediation Practicum Program provides training and experience for mediators and makes mediation services available to some small claims litigants at no cost. Mediators participate in 10 mediations under the supervision of mentors who provide feedback and guidance. Mediation services are available at no cost to the litigants.

Cases are referred to mediation in the Vancouver, Surrey, Nanaimo and Delta small claims courts. The cases referred are those in which the parties have volunteered to take part in mediation; however, some disputes are referred into the program on a mandatory basis, including construction disputes.

The Dispute Resolution Office

The Dispute Resolution Office (DRO) of the Ministry of Attorney General was established in 1996. The primary focus of the DRO is to support reform of the justice system by promoting the use of alternative dispute resolution processes in the justice system and in government. The DRO develops dispute resolution programs, as well as policies and procedures to guide their implementation, but does not provide mediators or direct dispute resolution services.

Within the court system, the DRO works closely with the judiciary and the legal profession. The DRO is committed to the belief that innovations will be most effective when they represent the joint efforts of all parties working in the justice system.

BRITISH COLUMBIA

The Honourable Andrew Petter
Attorney General

Deputy Attorney General
Gillian Wallace

Criminal Justice
A/Assistant Deputy Attorney General
Austin Cullen

- Criminal Appeals
- Legal Services
- Management Services
- Policy and Legislation
- Regional Crown Counsel
- Special Justice Programs
- Victim/Witness Services

Court Services
Assistant Deputy Minister
Rick McCandless

- Court Adminstration
- Judicial Administration
- Regional Management
- Sheriff Services
- Transcript Services

Investigation, Inspection and Standards
Director
Allan Anderson

Corporate and Public Issues
Director, Bill Scigliano

Legal Services
Assistant Deputy Attorney General
Robert Lapper

- Barristers Division
- Dispute Resolution Office
- Legislative Counsel
- Library Services
- Order in Council Administration
- Solicitors Division

Agencies, Boards and Commissions

- B.C. Board of Parole
- B.C. Coroners Service
- B.C. Human Rights Advisory Council
- B.C. Human Rights Commission
- B.C. Human Rights Tribunal
- B.C. Police Commission
- B.C. Review Board
- Children's Commission
- Commercial Appeals Commission
- Disaster Financial Assistance Appeal Board
- Expropriation Compensation Board
- Liquor Appeal Board
- Manufactured Home Park Dispute Resolution Committee
- Motion Picture Appeal Board
- Motor Dealer Customer Compensation Fund Board
- Police Boards
- Private Investigators and Security Agencies Advisory Board
- Provincial Capital Commission
- Public Trustee of B.C.
- Travel Assurance Board

Deputy Minister
Cynthia Morton
Management Services
Assistant Deputy Minister
Thea Vakil
• Facilities
• Financial Operations
• Financial Systems
• Information and Privacy
• Information Technology
• Personnel Services
• Resource Analysis
• Revenue
Policy, Planning and Legislation
Executive Director
Kelly-Ann Speck
• Agencies, Boards and Commissions
• Aboriginal Justice
• Consumer Policy
• Legislation
• MIS/Evaluation
• Planning
• Policy
BC 2000
Corrections
Assistant Deputy Minister
Don Demers
• Adult Custody
• Community Corrections
• Conditional Release
• Family Justice Services
• Strategic Planning and Corporate Programs
Community Justice
Assistant Deputy Minister
Alison MacPhail
• Consumer Services
• Crime Prevention
• Criminal Injury Compensation Program
• Debtor Assistance
• Family Maintenance
• Legal Aid
• Residential Tenancy
• Victim Services
• Youth Programs
Public Safety and Regulatory
Assistant Deputy Minister
Stephen Stackhouse
• Criminal Records Review
• Film Classification
• Gaming Audit Investigations Office
• Police Services
• Provincial Emergency Program
• RCMP Contract Administration
• Security Programs
Communications
Executive Director
Chris Beresford
Liquor Control and Licensing
General Manager
Robert Simson
Land Title
Director
Malcolm McAvity

Part Two: Programs and Services

Communications Branch

Executive Director: Chris Beresford

The Communications Branch manages the ministry's communications activities, including researching and analysing the information needs of ministry programs, services and major initiatives.

The branch creates and executes strategic ministry communications plans and develops and distributes public information materials, pamphlets and brochures for both staff and the general public.

Along with the branches involved, the Communications Branch manages:

- media relations
- issues management
- news releases
- news conferences
- special events.

The branch is also responsible for:

- ministry advertising and promotions
- assessing public response to ministry programs
- the ministry Web site
- monitoring and evaluating ministry communications activities.

Community Justice Branch

Assistant Deputy Minister: Alison MacPhail

The Community Justice Branch helps to ensure that British Columbians have timely access to justice and consumer services and resolution of residential tenancy disputes. The branch develops, manages and supports locally appropriate crime prevention, justice reform, community safety and consumer protection services. It serves the public directly through crime prevention, family maintenance enforcement, victim assistance, consumer protection and residential tenancy dispute resolution programs. It also funds and administers various contracts for justice-related services, and contributes substantial funding to the Legal Services Society to ensure that legal aid services are available throughout the province.

Community Programs Division

The Community Programs Division supports the implementation and development of community-based crime and violence prevention programs and projects and justice initiatives across the province. The programs foster youth and community involvement at all levels and rely on partnerships with police, schools, businesses and the community. They aim to prevent youth crime, violence and victimization, and to work in partnership with communities and key stakeholders to enhance community safety, support crime and violence prevention efforts, and implement community justice initiatives.

The division provides services in four major areas:

- prevention of community crime and violence
- prevention of youth crime, violence and victimization
- prevention of youth sexual exploitation and issues arising from prostitution
- implementation of and support for community justice initiatives.

Key accomplishments

- funded 53 communities under the Community Accountability Program, to assist them in developing ways to hold low-risk offenders more accountable to the community outside of the court system
- involved 10,000 youth in 60 Nights Alive Programs across the province
- joined by more than 130 communities, celebrated Crime Prevention Week and Safe Communities Day

- over the past two years, under a partnership with the National Crime Prevention Centre's Community Mobilization Program, provided 145 projects in B.C. with $4.2 million
- delivered 3,000 workshops aimed at preventing youth violence, crime, victimization and racism in communities and schools across the province

Family Justice Programs Division

The Family Justice Programs Division is responsible for:

- the Family Maintenance Enforcement Program (FMEP), which enrols, monitors and enforces maintenance orders and registered agreements that require individuals to provide their families with continuing financial support
- the Reciprocals Program, which has a statutory responsibility to decide on the appropriate court within the province of B.C. for reviewing out-of-province court orders, and transmits documents to reciprocating jurisdictions for the purposes of confirming, varying and enforcing maintenance orders and agreements
- the Family Search Service, which has statutory authority to search for missing individuals to obtain, vary or enforce custody, access, guardianship or maintenance orders
- the Debtor Assistance Program, which provides individuals and families experiencing financial difficulties with counselling; information regarding debtor/creditor rights, remedies and obligations; mediation of financial disputes; and reports to the courts
- the Client Relations Program, which provides information and investigates complaints about the programs of the Family Justice Programs Division.

Key accomplishments

- the Family Maintenance Enforcement Program (FMEP) collected $119 million of $153.7 million due, or 77 per cent, up from 54 per cent in 1988/89; enrolment in the program increased by 11 per cent in 1999/2000, and now represents more than 44,000 files; the number of fully paid, active FMEP cases where the payor lives in B.C. increased to 39 per cent in 1999/2000, up from 36 per cent in 1998/99
- on cases where the payee receives BC Benefits, with maintenance rights assigned to the Crown, FMEP collected $22.2 million of $31 million due in the 1999/2000 fiscal year
- completed a protocol with the U.S. federal government, effective December 15, 1999, for enforcing B.C. court-ordered child and spousal support when the paying parent lives in any American state or protectorate (in the past, only 22 American states had reciprocal agreements with B.C.)
- the Debtor Assistance Program provided 8,920 individuals and families with assistance in 1999/2000, an increase in intake

of 28 per cent over 1998/99, and returned $5.2 million to the credit industry through disbursements under the Orderly Payment of Debt Program

Justice Programs Division

The Justice Programs Division manages the ministry's funding contributions to the Legal Services Society, the independent agency that delivers legal aid in B.C. in the areas of criminal, family, immigration and poverty law. The division liaises with the society, other government and non-government organizations, and the public to support the legal services that are available to low-income British Columbians in the province.

Key accomplishments

- government contributed $81.5 million to the Legal Services Society to provide legal aid and public legal education to British Columbians
- the Legal Services Society approved approximately 51,000 applications for legal aid, which represents a small increase over the previous year—the first annual increase since 1992/93

Residential Tenancy Office

Six residential tenancy offices provide dispute resolution and other services, and encourage and actively promote harmonious relationships in the rental community, by providing:

- information services for landlords and tenants to assist them in residential tenancy matters
- dispute resolution interventions where clients request assistance
- mediations for clients in manufactured home parks
- arbitration hearings for clients who are unable to resolve their own disputes.

Key accomplishments

- developed and implemented a new arbitration review process that is much more efficient and cost-effective
- developed the second and third set of interpretation guidelines to ensure greater consistency in arbitrator decisions
- increased successful complaint settlements by seven per cent over the previous year, thereby reducing the demand for arbitrations
- conducted two continuing education sessions for arbitrators to discuss legal issues, legislative amendments and other issues
- conducted a continuing education session for staff to assist them in providing better information for clients

Consumer Services Division

The Consumer Services Division promotes fairness and understanding in the marketplace by developing and

enforcing consumer legislation, which includes both consumer protection and industry regulation. The division administers a variety of acts, including:

- Cemetery and Funeral Services Act
- Consumer Protection Act
- Credit Reporting Act
- Debt Collection Act
- Guide Animal Act
- Motor Dealer Act
- Multilevel Marketing Regulation Act
- Sale of Goods Act
- Trade Practices Act
- Travel Agents Act.

Key accomplishments

- in the first fully operational fiscal year for dedicated consumer enquiry officers, the enquiry officers responded to 14,830 calls from the public, including direct calls to the new toll-free provincial line and calls from regional offices
- the motor dealer registration unit reduced application processing time from eight weeks to approximately three weeks by instituting a process of bank account verification to confirm viability of dealers and reduce potential for consumer loss
- the Registrar of Credit Reporting Agencies received 1,128 inquiries about the content of credit reports—more than twice the inquiries received in 1998/99

Victim Services Division

The Victim Services Division works to make the justice system more responsive to the needs of crime victims and to ensure collaboration among systems in meeting those needs. The division:

- is responsible for the Criminal Injury Compensation Program and for implementing the Victims of Crime Act
- is responsible for funding, development, contract management and monitoring of police- and community-based victim service programs throughout B.C., including development of training curricula and resources
- funds the province-wide toll-free Victim Information Line, which provides victims of crime with information and referrals to services and programs in their community
- funds local co-ordinating committees addressing violence against women and provides other unfunded co-ordinating committees with support through training of victim service workers and the development and distribution of training curriculum and other print resources
- co-ordinates the development of policy in the areas of violence against women in relationships, sexual assault and violence against children and youth, and provides justice system personnel with training in these areas

- funds and conducts consultations with victim service providers and other stakeholders on a range of issues
- funds and conducts research in the area of victimization with a particular focus on emerging issues
- funds and supports community- and system-based projects addressing victimization issues through conferences, public education and prevention activities that facilitate partnerships among agencies and ministries responding to victimization issues.

Key accomplishments

- introduced and implemented service delivery standards for community-based and police-based victim service programs, making B.C. the first province in Canada to ensure a minimum standard of service for victims of crime and program consistency throughout the province
- developed the award-winning Speaking of Abuse pamphlet and translated into seven languages
- provided funding for medical forensic evidence exams in sexual assault cases where the victim has not yet decided to report to police
- expanded the cell phone initiative to nine B.C. communities for women at high risk of violence in their relationships (they are eligible for special cell phones pre-programmed to dial 911 or the local police detachment)
- installed video-conferencing—equipped victims' rooms in selected courthouses across the province to help protect child victim/witnesses from further emotional distress and trauma when they testify in court
- provided 600 justice system personnel with training on criminal harassment and advanced investigation and interview skills in cases of violence against women in relationships and child sexual abuse

Corrections Branch

Assistant Deputy Minister: Don Demers

The Corrections Branch delivers provincial correctional programs and family justice services, operating 19 adult correctional centres, 63 probation offices and 31 Family Justice Services offices across B.C. and administering victim restitution, community work service and diversion programs.

The Corrections Branch promotes public safety, provides opportunities for offenders to change, and assists families in conflict resolution. Corrections staff includes administrative support, probation officers, correctional officers and family justice counsellors.

Adult Custody Division

The Adult Custody Division operates seven secure custody centres, two medium security centres, eight specialized custody centres and two community correctional centres to house those remanded to custody while awaiting trial. The division also provides appropriate levels of custody and core programming for offenders serving a provincial sentence.

Burnaby Correctional Centre for Women houses women sentenced in B.C. to provincial or federal custody. Women who would otherwise be in federal custody (a sentence over two years) are accommodated through an exchange of services agreement with Correctional Services Canada.

During 1999/2000, the average daily adult custodial count rose by 0.8 per cent to 2,288 (including electronic monitoring and not including immigration detention). The average remand count increased 8.45 per cent to 821 from 757 the year before.

Community Corrections Division

The Community Corrections Division operates 63 probation offices in communities throughout the province. Probation officers assess and supervise accused adults and offenders to ensure compliance with conditions imposed by the courts and provincial releasing authorities. On any given day, the division supervises 21,012 offenders.

The division provides the court with reports on and assessments of adult offenders, victims and sentencing options. Staff provides specialized programs for sex offenders, mentally-disordered offenders and those convicted of spousal assault. The division also administers victim reparation, community work service and diversion programs.

Family Justice Division

The Family Justice Division operates centres in 31 communities throughout the province. Counsellors assist families experiencing a separation and needing help to resolve child custody and access issues, and issues of child and spousal maintenance. The division provides dispute resolution services and custody and access reports, primarily for families of modest means. Parenting After Separation programs are delivered province-wide and are available at no cost to all separating parents.

The Victim Notification Unit ensures that victims and protected parties identified in the Central Registry of Protection Orders are notified of offender releases from both provincial and federal correctional centres in B.C.

Strategic Planning and Corporate Programs Division

The Strategic Planning and Corporate Programs Division provides the branch as a whole with support, advice and co-ordination, and assists in the development, implementation and evaluation of the branch's strategic plan. The division is responsible for research, data, information systems, budget and contract administration.

Court Services Branch

Assistant Deputy Minister: R.C. McCandless

The Court Services Branch provides and maintains courthouse facilities, registry and trial support services, and sheriff services for the civil and criminal courts of B.C.

Regional Court Operations

Through its five regional offices across the province, the Court Services Branch administers B.C.'s 99 court facilities. Of these facilities, provincial court sits in 98, Supreme Court sits in 31, and Court of Appeal sits in five. These offices provide:

- regional management
- court administration—including document processing, court files maintenance, audio tape management, court facilities management and general administration inside the courtroom
- judicial administration—including justice of the peace services, Supreme Court and small claims court registrars, and in some locations, scheduling of trials
- sheriff services—including court security, prisoner escort and holding, and jury management.

Branch Headquarters

Branch Headquarters provides planning and development services in areas such as corporate planning and policy, financial management, business development, resource analysis and management information.

Key accomplishments

- as of March 31, 2000, the Justice Information System (JUSTIN) had been implemented in seven sites, covering 33 per cent of the provincial court criminal case load (JUSTIN is an integrated automated criminal justice information system that allows police, Crown counsel, Court Services, Corrections and the judiciary to share offender information)
- videoconferencing has been made available in 18 courthouses and eight correctional centres, allowing children and vulnerable witnesses to testify from outside the courtroom
- made services of the 24-Hour Justice of the Peace Centre available to 35 communities (the centre enables police detachments to have access to justice of the peace services by fax and telephone 24 hours a day)

- the Vancouver Jail Project, a joint project involving Court Services, Corrections and the Vancouver police and which reduces offender holding costs and resource requirements, was nominated for a national award from the Institute of Public Administration
- as of March 31, 2000, 24 court locations had implemented new Criminal Caseflow Management rules, which are expected to improve the efficiency of court case processing

Criminal Justice Branch

Assistant Deputy Attorney General: Austin Cullen, Q.C.

The Criminal Justice Branch is responsible for prosecutions in B.C. under:

- the Criminal Code of Canada
- the Young Offenders Act
- provincial statutes in the provincial court, the Supreme Court and Court of Appeal of B.C., and the Supreme Court of Canada.

Throughout the prosecution process, the branch offers services to victims of crime who have suffered emotional or physical trauma by addressing their needs for information, court preparation and referral to the appropriate community agencies.

Branch Headquarters

Crown counsel at Criminal Justice Branch Headquarters:

- provide the attorney general, other Crown counsel in the regions, other government ministries and the police with expert legal advice on criminal law matters
- initiate and develop policies and procedures on issues relating to the prosecution of cases
- participate in the development of federal and provincial legislation
- assume conduct of trials and appeals in such specialized areas as constitutional challenges to legislation and civil disobedience
- prosecute cases in both official languages of Canada when required to do so.

Criminal Appeals Office

Crown counsel in the Criminal Appeals Office conduct criminal appeals before the B.C. Court of Appeal and the Supreme Court of Canada.

Key accomplishments

- lawyers at the Air India Charge Approval Office continued to review vast amounts of evidence amassed by the RCMP Air India Task Force and grapple with numerous complex legal and tactical issues
- participated in the implementation of Criminal Caseflow Management, a judiciary-led initiative designed to improve trial scheduling in the provincial court
- introduced a new policy requiring all Crown counsel to identify high-risk violent offenders early in the prosecution process so that applications can be made in all appropriate cases (B.C. is responsible for more than one-quarter of all dangerous offenders now in jail, and, per capita, makes the most dangerous offender applications in Canada; the

federal government has used B.C.'s dangerous offender program as a model)

- Crown counsel in Surrey obtained a conviction of five young men for the manslaughter death of an East Indian caretaker of a Sikh temple, having proved beyond a reasonable doubt that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, colour or religion, the court, as mandated by section 718.2 of the Criminal Code, treated that motivation as an aggravating factor in the sentencing of the accused

Land Title Branch

Director: J.P. Malcolm McAvity

The Land Title Branch registers ownership of land using the Torrens Land Title Registration System. This system ensures security of title and other interests of land, such as mortgages, life estates, leases, rights of way, easements and liens registered against the land. The branch also provides for the maintenance and continued development of land title computer systems, which allow for ready access to land title information.

A major project of the branch is the Electronic Filing System, a re-engineering of the branch's business processes to enable electronic submissions of legal documents related to property title. The purpose of the new technology is to streamline and reduce the cost of preparing and transmitting conveyancing documents to land title offices, reduce opportunities for fraud and forgery, and provide the same level of service to all British Columbians, especially those who do not live in a city that has a land title office.

Key accomplishments

- received Treasury Board approval for the Electronic Filing System project and developed the conceptual design for the project
- the Land Title Amendment Act 1999, which reconciles the legal issues for electronic conveyancing, was passed
- received the Effectiveness and Productivity Award of the 1999 Public Sector Information Technology Awards, in recognition of outstanding work on ALTOS2 (Automated Land Title Operating System)

Legal Services Branch

Assistant Deputy Attorney General: Gillian Wallace, Q.C.

The Legal Services Branch advises the B.C. government and its ministers and officials on all civil law matters.

Barristers Division

Lawyers in the Barristers Division appear for government ministries and agencies in every level of court and before tribunals, inquests, arbitrations and other hearings. The division consists of two practice groups:

- barristers in the Civil Litigation Group, who:
  - conduct litigation on behalf of government
  - represent government in arbitration
  - appear at inquiries and some inquests
- barristers in the Constitutional and Administrative Law Group, who:
  - provide legal advice and opinions on constitutional and administrative law issues, and issues related to the Freedom of Information and Protection of Privacy Act
  - represent government in litigation related to constitutional issues, legal proceedings that review decisions made by public officials, and hearings before the Information and Privacy Commissioner
  - participate in legal proceedings under the Expropriation Act.

Solicitors Division

Lawyers in the Solicitors Division provide legal advice on government operations, legislation and potential lawsuits. Other responsibilities include:

- providing government with legal advice on Aboriginal issues, including advice to government negotiators in the treaty process
- representing the government at tribunal hearings and appearing at some inquests
- working with ministries and legislative counsel to prepare government bills, regulations, orders in council and ministerial orders
- advising government on international and domestic banking and investment transactions and on large-scale commercial and land transactions
- serving as client service co-ordinators, responsible for working with client ministries to identify and meet each ministry's need for legal services
- advising on and drafting government contracts

- assisting barristers in litigation
- conducting specialized litigation (e.g., tax and insolvency).

Office of the Legislative Counsel

Lawyers in the Office of the Legislative Counsel:

- draft all government bills for introduction into the legislative assembly
- draft regulations and orders in council for the government
- advise government on legislative initiatives proposed by individual ministries, legislative procedure and the conduct of government business in the legislative assembly.

The office also includes:

- the Registrar of Regulations, who is responsible for maintaining records and arranging formal publications of all regulations made under the authority of provincial legislation
- the Order in Council Administration Office, which is responsible for maintaining the registry of orders in council
- a Publications Group, which is responsible for preparing all statutory publications for the Province in conjunction with the Queen's printer.

Management and Administrative Services Division

The Management and Administrative Services Division provides the branch with corporate support services, including:

- administration of all contracts for legal services
- allocation and use of branch resources
- provision of research services through the Law Library and the Aboriginal Research Centre.

Key accomplishments

- recovered $2.2 million in damages in the first successful action by a provincial government against a forest company in negligence for damage caused by a forest fire
- leading up to ratification of the Nisga'a Final Agreement in 1999, branch lawyers:
  - played a key role in advising the attorney general and minister of aboriginal affairs throughout the debate in the legislature on the provincial settlement legislation
  - advised Ministry of Aboriginal Affairs officials on consultations with Canada and the Nisga'a on the federal settlement legislation
  - were a major part of the provincial team that worked throughout 1999 negotiating and preparing hundreds of closing documents that were to be tabled on the effective date of the Nisga'a Final Agreement
- the Family Law Group and the Contract Administration Group worked co-operatively to appoint counsel and manage judicial reviews, post-claim appeals and humanitarian and compassionate

review applications for 144 unaccompanied minors from Fujian Province

- appeared in Bronx Family Court in New York and was ultimately successful in obtaining the return to B.C. of a six-year-old child who had been taken to New York before the Director of Child Protection was able to remove her

Liquor Control and Licensing Branch

General Manager: Robert C. Simson

The Liquor Control and Licensing Branch is a self-financing regulatory agency responsible for:

- licensing the manufacture of liquor
- licensing the sale of liquor by licensed establishments (such as bars, lounges, pubs, cabarets, neighborhood pubs, and restaurants)
- supervising the conduct of licensees.

This responsibility includes the authority to determine:

- whether or not an establishment will be licensed
- hours of operation
- what entertainment will be permitted
- how many patrons will be allowed
- the type of liquor that may be sold
- the minimum size of the establishment
- other matters, such as the ability to make structural alterations.

The Liquor Control and Licensing Branch works closely with police, courts and other representatives of the legal community on matters of public safety, such as over-service by licensees leading to intoxication, service to minors, and illicit alcohol. The branch also works with local government to ensure that community standards are upheld.

The sale and distribution of liquor within B.C. is the responsibility of the Liquor Distribution Branch, which falls within the purview of the Ministry of Small Business, Tourism and Culture.

Key accomplishments

- the final report of the Liquor Policy Review, a major independent review of liquor regulations and policy, was accepted by government in May 1999, and contained over 130 recommendations affecting over 60 sections and subsections of the Liquor Control and Licensing Act; the Liquor Statutes Amendment Act (Bill 80), which provides the legislative authority to implement the recommendations of the Liquor Policy Review, received Royal Assent on July 15, 1999
- changes resulting from the review and implemented by March 31, 1999 include:
  - streamlined regulation in a wide range of areas, including televisions in restaurants, entertainment, Sunday hours, ownership policies for

neighbourhood and marine pubs, and alternative uses for hotel lounges

- extended hours for winery lounges
- deregulation of advertising and adoption of federal standards
- a new licensing and regulatory scheme for Ubrew and Uvin businesses
- restrictions on the sale of rice alcohol and other non-beverage products containing alcohol

- consulted with law enforcement agencies, local government and industry representatives on changes to liquor licensing regulations for restaurants, straight drinking establishments, and a number of compliance and enforcement initiatives

Management Services Branch

Assistant Deputy Minister: Thea Vakil

The Management Services Branch assists the ministry's executive committee and its managers in meeting program objectives and adhering to government- and ministry-wide policies and directives.

The branch consists of four divisions:

- Facilities Services Division
- Finance and Administration Division
- Personnel Services Division
- Information Technology Services Division.

The branch also includes the Information and Privacy Program, which manages the requirements of the Freedom of Information and Protection of Privacy Act.

Key accomplishments

- with the exception of one component, which is subject to a Treasury Board funding request, completed the Computer Leasing Initiative, a ministry-wide technology refresh project designed to bring all computer systems up to a consistent and standard level of functionality, and to update it every three years to ensure the continuing availability of current, effective and affordable technology that will support the ministry's mandate
- the ministry completed performance evaluations on 100 per cent of all managing staff; however, as the completion rate across the ministry was less than expected, a new project was initiated to enhance the participation rate
- completed a survey of trends across the country related to the retention and turnover of legal counsel
- drafted a risk assessment template for use in succession planning across the ministry
- the ministry exceeded the government's youth employment targets by 33 per cent
- the Supportive Workplace Committee developed a new corporate training strategy, which will focus the ministry's training budget on investing in training by:
  - establishing performance standards and core competencies that will be used to determine training requirements
  - improving access to and delivery of training for employees throughout the province
  - setting up evaluation mechanisms that will test the effectiveness of training

Policy, Planning and Legislation Branch

Executive Director: Mary Beeching

The Policy, Planning and Legislation Branch:

- provides policy, planning and legislation support for the ministry
- provides research and policy development for consumer protection legislation and regulations
- ensures that ministry programs and services respond to the changing needs and priorities of British Columbians
- ensures the provision of policy and administrative support to the ministry's independent agencies, boards and commissions.

Corporate Planning Division

The Corporate Planning Division:

- leads the development of the ministry's strategic and business plans
- oversees ministry environmental scanning and public opinion survey activities
- co-ordinates ministry business continuation planning
- supports training in planning and performance measurement
- provides liaison with the Canadian Centre for Justice Statistics and provincial government planning contacts.

Consumer Policy and Programs Development Division

The Consumer Policy and Programs Development Division provides research and policy development with regard to:

- general consumer protection legislation, such as the Trade Practice Act, the Consumer Protection Act and the Sale of Goods Act
- legislation and regulations establishing rights and responsibilities for specific industries, such as residential tenancy, cemeteries and funeral services, travel agents and direct sellers
- federal/provincial/territorial discussions and negotiations relating to consumer protection policies
- new areas of consumer protection in the B.C. marketplace.

Key accomplishments

- introduced harmonized direct seller legislation so that the rescission period and other key aspects are consistent in all Canadian jurisdictions, and completed regulations required to proclaim the direct seller legislation effective March 2000

- undertook research and consultations for amendments to the Residential Tenancy Act and its regulations, including streamlining the arbitration review process and the formula for rent increases when required for dispute resolution (the amendments were brought into force in December 1999)

Management Information and Evaluation Division

The Management Information and Evaluation Division has responsibilities in three areas: evaluation of ministry programs, information management and data warehousing.

Key accomplishments

- focused resources on a three-year project involving the development of a ministry data warehouse and associated management information systems, completing initial versions of some components for the Criminal Justice Branch and Court Services Branch Data Marts within the first year
- completed a number of evaluation pilot projects associated with the Child Support Guideline initiative
- completed two studies on the justice reform initiative's Community Accountability Program

Policy and Legislation Division

The Policy and Legislation Division:

- provides the attorney general and ministry executive with policy analysis and advice on intergovernmental, inter-ministry and ministry initiatives
- manages the ministry's legislation program, which includes co-ordinating the miscellaneous amendment process for all of government
- leads the development of the ministry's strategic and business plans, and oversees ministry environmental scanning and public opinion survey activities
- provides liaison with the Canadian Centre for Justice statistics and provincial government planning contacts
- develops and in some cases manages pilot programs and projects that address social and justice issues
- provides policy support for cross-agency initiatives
- supports the Hate Crime Team, which is responsible for ensuring the effective identification, investigation and prosecution of crimes motivated by hate, and helping communities identify and respond to hate activity
- supports the Provincial Prostitution Unit, which provides police and prosecutors across B.C. with advice, training and resources; helps communities address local prostitution issues; and ensures province-wide co-ordination of strategies.

Key accomplishments

- supported the Provincial Prostitution Unit by developing a training manual for police and Crown counsel
- assisted the Public Trustee's Office in developing the Adult Guardianship Statutes Amendment Act

Corporate and Public Issues Division

The Corporate and Public Issues Division is responsible for developing corporate policy responses to legal, justice, public safety and regulatory issues. The division:

- provides the attorney general, deputy minister and ministry executive with policy advice
- co-ordinates the preparation of briefing materials required by the attorney general and the deputy attorney general for federal/provincial/territorial meetings
- oversees public legal education
- co-ordinates the review of proposals for funding under the Forfeited Crime Proceeds Fund
- manages the Employee Recognition Program.

Agencies, Boards and Commissions Division

The Agencies, Boards and Commissions Division:

- co-ordinates the relationship between the ministry and its associated agencies, boards and commissions (ABCs)
- provides the minister with policy advice on issues that affect that relationship
- manages the process for order-in-council and ministerial order appointments to the ABCs
- provides administrative support for all commissions established by the government under the Inquiry Act
- serves as the provincial responsibility centre for human rights policy and the responsibility centre for the ministry's equity and diversity initiative.

Key accomplishments

- chaired a committee composed of a number of government ministries, representatives of the B.C. Council of Administrative Tribunals, and a number of chairs of B.C.'s arms-length agencies, boards and commissions, which developed a draft model memorandum of understanding designed to assist ministries and their associated agencies, boards and commissions in clarifying roles and responsibilities with respect to the independent operation of their organizations; the model will be piloted in the 2000/01 fiscal year
- on December 10, 1999, launched the B.C. Human Rights Champions Awards, annual awards sponsored by the Minister Responsible for Human Rights in partnership with the Provincial Specialist Association (PSA) Council and the Social Justice Advisory Committee of the British Columbia Teachers'

Federation (BCTF); in this, the inaugural year, awards were presented to 342 children and youth in B.C. for their outstanding contributions in promoting and defending human rights

- the Commission of Inquiry into the Quality of Condominium Construction in British Columbia was re-appointed on August 11, 1999 to address the causes of the failure of the New Home Warranty program; Commissioner Barrett submitted his second report, which makes further recommendations to government, on March 9, 2000

Public Safety and Regulatory Branch

Assistant Deputy Minister: Stephen Stackhouse

The Public Safety and Regulatory Branch works to ensure that the province's public police forces and other security-related and public safety–related agencies provide adequate and effective services. The branch also:

- plans and co-ordinates provincial responses to major emergencies and disasters
- audits and inspects gaming activities
- regulates the public exhibition, rental and distribution of films and videos in B.C.
- administers the federal Firearms Act.

Police Services Division

The Police Services Division superintends policing and law enforcement functions in B.C. to ensure that adequate and effective levels of policing are maintained throughout the province. The division:

- administers the Provincial Police Services Agreement with the RCMP to provide police services for unincorporated areas and municipalities with a population under 5,000
- oversees the RCMP's contract policing agreements with the 59 municipalities that use the RCMP as their municipal police force
- administers First Nations policing programs
- collects, monitors and analyses reports on provincial crime and police data in B.C.
- administers the photo radar and intersection safety camera programs and other road safety programs
- trains and supports municipal First Nations and other police governance boards
- conducts evaluations of municipal police departments
- liaises with law enforcement agencies throughout the province and sponsors policing-related legislation and policy development
- sets policy direction and manages non-police law enforcement appointments and activity
- co-ordinates the establishment of designated police and law enforcement units.

Security Programs Division

The Security Programs Division is responsible for ensuring the public's safety through the regulation of the licensed security industry and the

administration of protective services programs and the federal Firearms Act. The division:

- screens, licenses, inspects and investigates complaints about security agencies and employees
- conducts mandatory criminal record checks for current and new employees who work with children in organizations that receive operational funds from, or are operated or licensed by, the provincial government
- maintains an electronic database of restraining orders and Criminal Code peace bonds received from all court registries throughout the province, ensuring timely access to protection orders by police agencies
- makes recommendations regarding notification of persons who may be at risk from high-risk offenders and provides guidance on obtaining orders under section 810 of the Criminal Code to protect those at risk
- performs background checks of firearms licence applicants, licenses and inspects firearms businesses and museums, and sets standards and processes applications for approval of shooting clubs and ranges.

Key accomplishments

- issued 11,666 individual firearms licences and 357 firearms business licences
- approved 12,218 firearms transfers
- inspected 307 firearms businesses, 36 shooting ranges/clubs and 23 gun shows/auctions
- trained 8,175 students in firearm safety through the Canadian Firearms Safety Course
- disposed of 6,217 firearms
- issued 9,613 basic security patrol certificates and licensed 1,333 security patrol businesses
- carried out 55,726 criminal record checks
- entered 72,893 orders for the Protection Order Registry and notified 793 protected parties
- established the High-Risk Offender Community Notification Advisory Program in 1999 to assist justice agencies in the province in determining whether an offender's presence in the community merits application to the courts for restrictions on the offender's activities in the community or public disclosure regarding the offender's presence in the community

Provincial Emergency Program

The Provincial Emergency Program (PEP) is responsible for the development, maintenance and readiness status of the provincial emergency management structure. The program is focused on four primary activities: prevention, preparedness, response and recovery. Responsibilities include:

- co-ordination of provincial multi-ministry, multi-agency support for local governments during an

emergency response, including national and international assistance

- operation of the Emergency Co-ordination Centre (ECC), which co-ordinates provincial response to more than 60 different hazards
- management of the federal/provincial Joint Emergency Preparedness Program (JEPP) in support of local government emergency programs
- management of the federal/provincial New SAR Initiatives Fund (NIF), which supports search and rescue initiatives across Canada
- management of or support for emergency response volunteer programs (see box on page 41).

Key accomplishments

- co-ordinated the provincial multi-ministry response to flooding in 1999, when the flood potential in the Fraser River Basin was at its most significant in the last 51 years
- in partnership with the ministries of Environment, Lands and Parks and of Transportation and Highways, administered the provision of $7.7 million in urgent flood mitigation funding
- in partnership with the Ministry of Environment, Lands and Parks, administered the $3 million Flood Protection Assistance Fund for long-term flood protection works
- under the authority of the Disaster Financial Assistance Act, administered the funding of response and recovery assistance to private citizens, local governments and other ministries in the amount of $30 million
- the PEP Academy at the Justice Institute trained 6,400 people in search and rescue, emergency social services and emergency management
- in partnership with Risk Management and Action 2000, managed the provincial emergency preparedness response during the Y2K transition

Emergency Response Volunteer Programs

The Provincial Emergency Program manages or provides administrative support, training and advice for five emergency response volunteer programs:

- Search and Rescue (SAR) Program—More than 4,700 people are involved in 77 search and rescue teams around the province, tracking lost hikers, campers and skiers and providing them with the necessary emergency support.
- Air Search and Rescue (PEP Air)—About 325 volunteers conduct aerial searches and provide support for ground search and rescue missions.
- Highway Rescue Program—Three thousand volunteers throughout the province assist local police and the B.C. Ambulance Service in responding to motor vehicle accidents, by providing first aid and helping to free people from damaged vehicles.
- B.C. Amateur Radio Service (ARS)—An emergency amateur radio communications service staffed by approximately 1,000 amateur radio volunteers around the province.
- Emergency Social Services (ESS)—PEP works in partnership with the Ministry of Social Development and Economic Security to support 5,500 volunteers around the province who provide emergency support in the event of a disaster to preserve the health and well-being of those affected.

Gaming Audit and Investigation Office

The Gaming Audit and Investigation Office (GAIO) is an independent enforcement agency removed from other government agencies regulating or delivering legal gaming in the province. It has a mandate to ensure that gaming in B.C. is conducted legally and to investigate any occurrence that may bring lawful gaming into disrepute. Specifically, the office:

- conducts background investigations to ensure the suitability of all gaming suppliers, gaming management companies, key personnel and gaming workers involved in the conduct and management of legally sanctioned gaming in the province
- on its own initiative, or in response to requests from the B.C. Gaming Commission (BCGC) and the B.C. Lottery Corporation (BCLC), investigates or audits activities emanating from provincially sanctioned gaming events
- responds to complaints where there would otherwise be a perception of conflict (i.e., where BCGC or BCLC would investigate their own decisions)
- investigates criminal activities occurring at gaming sites and

provides police agencies with assistance in gaming-related investigations

- conducts investigations under the Criminal Code into illegal gaming activities, either on its own initiative or in conjunction with police agencies having jurisdiction.

Key accomplishments

- completed background investigations on 35 gaming management companies, 13 bingo associations, nine suppliers and 1,240 gaming workers
- completed background investigations in 16 cases involving gaming operations, four cases involving gaming proceeds, 21 cases involving crimes by persons, and 17 cases involving illegal gaming
- completed 19 use of gaming proceeds audits and audits of two gaming operations and one supplier
- completed a revision of GAIO registration policies and terms and conditions based on recommendations in the White Paper on Gaming
- revised the dealer registration database and converted information to a more robust program

Film Classification Office

The Film Classification Office regulates the public exhibition, rental and distribution of films and videos in B.C. All films shown publicly and all adult videos sold or rented through video retail outlets must be viewed and classified by the Film Classification Office, which has the authority to:

- approve or refuse the exhibition or distribution of a film or adult video
- order the removal of prohibited material
- assign advisory captions that appear in all newspaper advertising of a film.

The office also:

- licenses theatres, film and video distributors, and video retailers
- conducts regular inspections of theatres and video outlets
- is responsible for maintaining community standards in film and video products distributed in B.C.
- monitors legislation, programs and court cases relating to film classification, censorship and obscenity across Canada.

Key accomplishments

- reviewed 626 motion pictures intended for exhibition
- reviewed 1,560 adult motion pictures intended for distribution
- conducted 1,203 inspections
- issued or renewed 2,357 licences

Agencies, Boards and Commissions

Note: *Many agencies, boards and commissions for which the attorney general is accountable are required to report annually to the legislature. For more information, please refer to those separate reports.*

B.C. Board of Parole

The B.C. Board of Parole considers applications for parole from incarcerated adult offenders and renders decisions on those applications. Decisions focus on protecting the community and furthering the positive reintegration of offenders into that community. Members are appointed by the Lieutenant Governor in Council and are selected from communities throughout the province.

B.C. Coroners Service

The B.C. Coroners Service investigates sudden and/or unexpected deaths to ensure that no death is overlooked, concealed or ignored. The service's mandate is especially directed to the protection of those who are dependent on others for their care and custody. The primary purpose of each coroner's investigation is to determine who the deceased was, when the deceased died, where the deceased died, and the means of death (accident, homicide, suicide, natural or undetermined). Prevention of future similar deaths or injuries is also an important part of the coroner's investigation process.

B.C. Human Rights Advisory Council

The B.C. Human Rights Advisory Council is one of three statutory agencies established under the B.C. Human Rights Code. Its mandate includes informing the public about the work of the Human Rights Commission, and bringing public concerns about the human rights system in B.C. to the attention of the attorney general and the commission.

B.C. Human Rights Commission

The B.C. Human Rights Commission is an administrative agency established under the Human Rights Code to investigate and mediate human rights complaints in relation to employment, services and housing in both the public and private sectors. Where appropriate, the commission refers complaints to the Human Rights Tribunal for adjudication. The commission also has a mandate to provide public education and information to promote understanding and acceptance of the code, and to conduct or encourage research into matters relevant to the code.

B.C. Human Rights Tribunal

The B.C. Human Rights Tribunal is a quasi-judicial tribunal established under the Human Rights Code to adjudicate complaints of discrimination in relation to employment, services and housing in both the public and private sectors. The tribunal has broad remedial powers and can reinstate a dismissed employee and order monetary damages against a respondent to an unlimited amount. Its orders are enforceable in the B.C. Supreme Court.

B.C. Review Board

The B.C. Review Board is established under the Criminal Code, with ongoing jurisdiction to make and review dispositions with respect to individuals charged with offences in respect of which a verdict of "not criminally responsible on account of mental disorder" or "unfit to stand trial on account of mental disorder" have been rendered. The board exercises the authorities and responsibilities of a court in the context of evidentiary hearings. When making a disposition, the review board must consider the protection of the public, the accused's mental condition, the reintegration of the accused into society, and the accused's other needs.

Children's Commission

(See box on page 46.)

Commercial Appeals Commission

The Commercial Appeals Commission hears appeals from decisions or orders made under 13 provincial statutes pertaining to cemeteries and funeral services, credit reporting, debt collection, financial institutions, mortgage brokers, motor dealers, travel agents, real estate, and societies.

Expropriation Compensation Board

The Expropriation Compensation Board, under the Expropriation Act, sets the amount of money paid for expropriated land when the settlement amount is appealed by the private landowner.

Liquor Appeal Board

The Liquor Appeal Board is a quasi-judicial tribunal that hears appeals by an applicant for a licence or a licensee aggrieved by an action, order or decision by the general manager to:

- refuse to issue, renew, amend or transfer a licence
- impose restrictions on a licence
- suspend or cancel a licence, or
- not return seized liquor.

Motion Picture Appeal Board

The Motion Picture Appeal Board assists in the regulation of the film and video industry in the province. It hears appeals by exhibitors and distributors of motion pictures and videos concerning classification of

films, suspensions of theatre licences, and refusals to issue theatre or film exchange licences by the Film Classification Branch.

Office of the Public Trustee

The Office of the Public Trustee:

- protects the legal rights and financial interests of children
- provides assistance to adults who need support for financial and personal decisions
- administers the estates of deceased and missing persons when no one else is able to do so.

Additional agencies

The attorney general is also accountable for:

- Disaster Financial Assistance Appeal Board
- Manufactured Home Park Dispute Resolution Committee
- Motor Dealer Compensation Fund Board
- Multiculturalism Advisory Council
- Notaries Public Board of Examiners
- Private Investigators and Security Agencies Advisory Board
- Supreme Court Rules Committee
- Travel Assurance Board.

The attorney general appoints some board members to:

- Continuing Legal Aid Society of B.C.
- Judicial Council
- Law Courts Education Society of B.C.
- Law Foundation of B.C. board of governors
- Law Society of B.C.
- Legal Services Society
- police boards
- Native Courtworkers and Counselling Association of B.C.
- Notary Foundation board of governors.

The Children's Commission

Created in 1996 in response to the Gove Inquiry into Child Protection, the Children's Commission has a mandate to:

- review all child fatalities in the province and investigate those which the commission decides require an investigation to determine the adequacy of services or examine public health or policy issues
- review and investigate critical injuries sustained by children in care
- make recommendations concerning deaths or critical injuries investigated if the commission considers this will enhance the safety and protection of other children
- hear and resolve complaints made to the commission about breaches of the rights of children in care and decisions made about designated services to children by the Ministry for Children and Families
- set standards for the internal review of complaints about provision of services to children by the Ministry for Children and Families, and monitor adherence to those standards
- review plans of care for children in continuing custody of the Ministry for Children and Families, and ensure that these plans meet legislative and policy standards
- inform British Columbians about the state of the province's child- and family-serving system, and invite public comment on the commission's work.

In addition to government ministries and other child-serving agencies, the Children's Commission works with:

- the Office of the Child, Youth and Family Advocate
- the Office of the Ombudsman
- a multidisciplinary team of advisors
- the Youth in Care Network
- Aboriginal organizations.

Acts Administered by the Attorney General of British Columbia

Adult Guardianship Act

Age of Majority Act

Attorney General Act

British Columbia Neurotrauma Fund Contribution Act

Capital Commission Act

Cemetery and Funeral Services Act

Child, Family and Community Service Attorney General Act (ss. 83–88)

Child, Youth and Family Advocacy Act

Children's Commission Act

Civil Rights Protection Act

Class Proceedings Act

Commercial Appeals Commission Act

Commercial Arbitration Act

Commercial Tenancy Act

Company Act (s. 323)

Commissioner on Resources and Environment Act

Condominium Act (all matters affecting powers and duties of Registrar of Titles)

Conflict of Laws Rules for Trusts Act

Constitution Act (except ss. 25–27)

Constitutional Question Act

Consumer Protection Act

Coroners Act

Correction Act (ss. 8, 10–12, 15–17, 19, 22, 33, 34 (1) (a); ss. 1–5, 7, 9, 13, 14, 18, 20, 21, 23, 24, 34 (1)(b)–(g) and (2) and 35 EXCEPT insofar as they relate to young persons as defined in s. 1 of act)

County Boundary Act

Court Agent Act

Court of Appeal Act

Court Order Enforcement Act

Court Order Interest Act

Court Rules Act

Credit Reporting Act

Criminal Injury Compensation Act

Criminal Records Review Act

Crown Counsel Act

Crown Franchise Act

Crown Proceeding Act

Curfew Act

Debt Collection Act

Debtor Assistance Act

Disciplinary Authority Protection Act

Election Act

Electoral Boundaries Commission Act

Electoral Districts Act

Emergency Communications Corporations Act

Emergency Program Act

Enforcement of Canadian Judgments Act

Escheat Act

Estate Administration Act

Estates of Missing Persons Act

Evidence Act

Expropriation Act

Family Compensation Act

Family Maintenance Enforcement Act

Family Relations Act

Federal Courts Jurisdiction Act

Financial Disclosure Act

Firearm Act

Flood Relief Act

Food Donor Encouragement Act

Foreign Arbitral Awards Act

Foreign Money Claims Act

Foresters Act (s. 9 (2))

Fraudulent Conveyance Act

Fraudulent Preference Act

Frustrated Contract Act

Good Samaritan Act

Greater Victoria Water District Act

Guide Animal Act

Holiday Shopping Regulation Act

Homestead Act

Human Rights Code

Infants Act

Inquiry Act

International Commercial Arbitration Act

International Sale of Goods Act

International Trusts Act

Interpretation Act

Judicial Review Procedure Act

Jury Act

Justice Administration Act

Land (Spouse Protection) Act

Land Title Act (except s. 218 (1) (d))

Land Title Inquiry Act

Land Transfer Form Act

Law and Equity Act

Law Reform Commission Act

Legal Profession Act

Legal Services Society Act

Libel and Slander Act

Limitation Act

Liquor Control and Licensing Act

Members' Conflict of Interest Act

Ministry of Consumer and Corporate Affairs Act (ss. 3 and 4 (a) re consumer affairs; s. 4 (b)–(d))

Ministry of International Business and Immigration Act (provisions re immigration)

Ministry of Provincial Secretary and Government Services Act (ss. 2 (1), (2), (5) and (6), 3, 5, 6, 7)

Motion Picture Act

Motor Carrier Act (s. 54)

Motor Dealer Act

Multiculturalism Act

Municipal Act (Div 2 of Part 15)

Negligence Act

Notaries Act

Occupiers Liability Act

Offence Act

Ombudsman Act

Parole Act

Partition of Property Act

Patients Property Act

Pawnbrokers Act

Perpetuity Act

Police Act

Power of Appointment Act

Power of Attorney Act

Privacy Act

Private Investigators and Security Agencies Act

Probate Recognition Act

Property Law Act

Provincial Court Act

Public Guardian and Trustee Act

Public Trustee Act

Queen's Counsel Act

Recall and Initiative Act

Referendum Act

Regulations Act

Rent Distress Act

Representation Agreement Act

Residential Tenancy Act

Sale of Goods Act

Senior Citizen Automobile Insurance Grant Act

Sheriff Act

Small Claims Act

Statute Revision Act

Statute Uniformity Act

Subpoena (Interprovincial) Act

Supreme Court Act

Survivorship and Presumption of Death Act

Trade Practice Act

Travel Agents Act

Trespass Act

Trust and Settlement Variation Act

Trustee Act

Trustee (Church Property) Act

Victims of Crime Act

Wills Act (except Part 2)

Wills Variation Act

Young Offenders (British Columbia) Act

1999/2000 ANNUAL BUDGET

	Budget ($)	Capital ($)	Staff (#)
Minister's Office	437,000	30	7.0
Ministry Operations			
Corporate Services	51,433,000	13,105,000	362.0
Court Services Branch	133,775,000		1,373.0
Legal Services Branch	22,327,000		281.0
Criminal Justice Branch	72,984,000		760.0
Community Justice Branch	124,793,000		200.0
Corrections Branch	200,801,000		2,192.0
Public Safety and Regulatory Branch	156,495,000		257.0
Land Title Branch	13,561,000		180.0
Coordinated Law Enforcement Unit	2,759,000		29.0
Multiculturalism and Immigration	8,074,000		56.0
Agencies, Boards and Commissions			
B.C. Human Rights Commission	4,688,000		47.0
B.C. Human Rights Tribunal	1,227,000		9.0
B.C. Parole Board	283,000		1.0
B.C. Police Commission	114,000		0.0
B.C. Review Board	1,366,000		8.0
Children's Commission	2,993,000		27.0
Commercial Appeals Commission	211,000		1.0
Expropriation Compensation Board	576,000		3.0
Liquor Appeal Board	121,000		1.0
Motion Picture Appeal Board	5,000		0.0
Public Trustee - Voted	4,335,000		20.0
Statutory Services			
Criminal Injury Compensation Act	24,650,000		0.0
Crown Proceeding Act	10,740,000		0.0
Emergency Program Act	11,984,000	159,000	0.0
Inquiry Act	2,500,000		0.0
Liquor Control and Licensing	1,000		80.0

	Budget ($)	Capital ($)	Staff (#)
Judiciary			
Superior Courts	10,008,000	284,000	149.0
Provincial Courts	33,953,000	200,000,000	238.0
Special Accounts			
Forfeited Crime Proceeds	679,000		0.0
Inmate Work Program	1,293,000	7,000	0.0
Public Trustee of British Columbia	11,302,000	2,143,000	162.0
Victims of Crime Act	7,253,000		0.0
TOTAL MINISTRY	**917,721,000**	**15,928,000**	**6,443.0**

(Budget, Capital and FTEs as per Estimates 1999/00)